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April 23, 2015

**BY ECF**

Honorable Robert M. Levy  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Cortes v. City of New York, et al.*, 14 CV 3014 (SLT) (RML)

Your Honor:

I represent plaintiff in the above-referenced civil rights action. I write to respectfully request a 6-month extension of the fact discovery deadline, from today to October 23, 2015. Defendants consent to this application.

By order dated October 20, 2014, the Court set a discovery deadline of today. Since that time, the parties have worked diligently to identify the officers alleged to have injured plaintiff inside the precinct. The process has been complicated by the fact that defendants dispute having used any force against plaintiff at all inside the precinct. Defendants produced approximately 80 unlabeled photographs of NYPD staff working that night, but that was insufficient to allow plaintiff to definitively identify the officers involved.

The parties have conferred and plan to investigate the matter further by identifying and deposing officers and other prisoners known to have been inside the precinct with plaintiff at the relevant time. In the interim, plaintiff recently amended the complaint, on consent, to add the officers present at the scene of his arrest. Once those defendants answer the complaint, ordinary discovery practice will proceed with respect to them. Plaintiff expects that the proposed extension will allow the parties to identify the remaining defendants and complete fact discovery as to the new defendants.

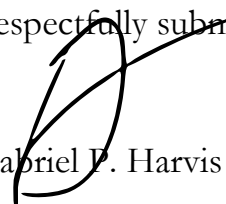
The extension should also allow the parties time to discover the extent of plaintiff's ongoing physical injuries. Plaintiff underwent shoulder surgery earlier this year and is undergoing continuing medical care and physical therapy. His injuries will be the

subject of expert discovery.

Accordingly, plaintiff respectfully requests a 6-month extension of the fact discovery deadline, from today to October 23, 2015.

Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gabriel P. Harvis', is written over the typed name. The signature is stylized with a large, sweeping 'G' and a long horizontal stroke extending to the right.

Gabriel P. Harvis

cc: ACC Elissa Jacobs, Esq.